HONORABLE ROBERT S. LASNIK 1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE WESTERN DISTRICT OF WASHINGTON 7 AT SEATTLE 8 RBC DAIN RAUSCHER, INC., a 9 Minnesota Corporation C06-0481L 10 Plaintiff, STIPULATED PRELIMINARY 11) INJUNCTION v. 12 STEVEN L. ALVORD, a Washington individual, and D.A. DAVIDSON & CO., a 13 Montana Corporation, 14 Defendants. 15 16 This matter comes before the Court on plaintiff's "Verified Complaint" (Dkt. # 1) and the ex 17 parte "Motion for Temporary Restraining Order, Order to Appear and Show Cause Why Preliminary 18 Injunction Should not Issue, Preliminary Injunction" (Dkt. # 2). 19 On April 6, 2006, the Court issued a Temporary Restraining Order ("TRO") (Dkt. #8). This 20 matter is scheduled for an expedited hearing before the National Association of Securities Dealers 21 ("NASD") in NASD Arbitration Number 06-01781 on April 24, 2006 at 9 a.m. ("Expedited 22 Hearing"). As such, the parties have agreed to stipulate to a Preliminary Injunction in this matter 23 pending an Order of the NASD Arbitration Panel. 24 **BRENEMAN LAW FIRM** 25 1080 BROADACRES BUILDING 1601 SECOND AVENUE STIPULATED PRELIMINARY INJUNCTION SEATLLE, WA 98101

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IT IS HEREBY ORDERED AND DECREED THAT, BASED ON THE STIPULATION OF THE PARTIES THROUGH THEIR COUNSEL OF RECORD:

- 1. The security in the amount of \$25,000.00 previously posted by plaintiff pursuant to the TRO be continued as security for the issuance of the Preliminary Injunction.
- 2. Defendants are enjoined and restrained, directly or indirectly, and whether alone or in concert with others, including any officer, agent, representative, and/or employee of Alvord's new employer, D.A. Davidson & Company, until the Expedited Hearing by the NASD in NASD Arbitration Number 06-01781, and thereafter until further Order of the NASD Panel or further Order of the Court from:
 - a. initiating any further contact or communication with any client of RBC Dain ("RBC Dain clients") whom Alvord served or whose name became known to Alvord while in the employ of RBC Dain either for the purpose of advising said clients of his new affiliation or for the purpose of inviting, encouraging, or requesting the transfer of any accounts or business from RBC Dain (excluding members of Alvord's immediate family);

b. using, disclosing, or transmitting, for any purpose, information derived from the records of RBC Dain concerning its customers, including for purposes of soliciting or accepting business or account transfers from any RBC Dain customer formerly serviced by Alvord.

3. Defendants, and anyone acting in concert or participation with defendants who receives actual notice of this Order, including any agent, employee, officer, or representative of D.A. Davidson & Company, are further ordered to return to RBC Dain's Bellingham, Washington, office any and all records, documents, and/or information pertaining to RBC Dain clients, whether in original, copied, computerized, handwritten, or any other form, and to purge any such information

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1	that is not capable of being physically relinquished to RBC Dain from their possession, custody, or	
2	control within twenty four (24) hours of service of this Order upon defendants or their legal counsel.	
3	4. This Order shall remain in full force and effect until such time as 1) the Court issues a	
4	further Order, or 2) the NASD Panel issues its Order regarding a permanent injunction.	
5		
6	DATED this 19th day of April, 2006, at 2:30 pm.	
7		
8	MW. Bahar	TS (asuik rt S. Lasnik
9	United States District Judge	
10		
11	Stipulated and Agreed to by:	
12	BRENEMAN LAW FIRM	FOSTER & PEPPER PLLC
13	By/s/	Dr. /a/
14	Scott C. Breneman, WSBA # 18486	By/s/ Samuel T. Bull, Esq.
15	1601 2nd Avenue, Suite 1080 Seattle, WA 98101	Jeremy R. Larson, Esq. 1111 Third Avenue, Suite 3400
16	CHORPENNING, GOOD & PANDORA	Seattle, Washington 98101-3299 Attorneys for Respondents Steven L. Alvord,
17	CO., LPA Eliott R. Good (Pro Hac Vice)	and D.A. Davidson & Co.
18	Michael J. Zaretsky (Application for Leave to Appear Pro Hac to be submitted)	
19	585 South Front Street, Suite 250 Columbus, Ohio 43215	
20	Tel: 614-469-1301 Fax: 614-469-0122	
21	Ergood@cgmlpa.com	
22	mzaretsky@cgkesqs.com	
23	Attorneys for Plaintiff RBC Dain Rauscher, Inc.	
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STIPULATED PRELIMINARY INJUNCTION

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